

The Montana Trial Lawyers Association (MTLA) is a membership organization of primarily plaintiff lawyers - we're the ones everybody seems to love to hate, but the first ones that those same people call when they or a family member have had their lives devastated because of the wrong doing of a corporation, government or another individual. We're the ones who won you the tobacco settlement that brings millions into the state's coffers each year; and the ones who represent those whose lives have been devastated by W.R. Grace in Libby.

MTLA supports the basic, conservative, principle that individuals, corporations and governmental entities should be accountable and responsible for their actions or omissions that cause harm to another. This principle is set forth in Article II, Section 16 of our Montana Constitution which provides that "Courts of justice shall be open to every person, and speedy remedy afforded for every injury of person, property or character." This is a fundamental right guaranteed by our Montana Constitution, a fundamental right that you need a compelling interest to take away.

This is an important right, and granting immunity to the state is not to be taken lightly, that's why page 5, line 9 notes that a two thirds vote is required for this bill.

**There are no facts in support of SB 329 to form the basis of a compelling state interest .**

**Where's the rash of cases?**

**Where's the evidence of soaring insurance rates for the state?**

**Where's the evidence of important economic interests being at risk?**

**Where is the state requesting this bill?**

**Has the state refused to allow pilots to land on state air strips, and if not, why do we need this bill?**

**Has the state refused to allow pilots to land on unimproved state lands, and if not, why do we need this bill?**

**Page 1, Line 28 – gives definition of airstrip and adds state lands -**

**(a) (i) "Airstrip" means improved or unimproved landing areas on private land or state land used by pilots to land, park, take off, unload, load, and taxi aircraft.**

**Does this mean any "unimproved landing area" on state land becomes an airstrip because a pilot uses it to land and/or take off from?**

**Can pilots basically create a landing area on unimproved state lands and thereby make it a defacto "airstrip"?**

**Does this bill allow someone who leases state lands to allow an airstrip on those state lands?**

**Have any state lease holders refused to allow pilots to use those leased lands for airstrips?**

**Support our Montana constitution and reject SB 329.**